

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

August 28, 1991

887-3353

Mr. & Mrs. Billy R. Horne
9301 Todd Avenue
Port Howard, Maryland 21052

RE: PETITION FOR RESIDENTIAL VARIANCE
SE/Corner Bayside and Todd Avenues
(9301 Todd Avenue)
15th Election District - 7th Councilmanic District
Billy R. Horne, et ux - Petitioners
Case No. 92-25-A

Dear Mr. & Mrs. Horne:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Chesapeake Bay Critical Areas Commission
Tawes State Office Building, D-4, Annapolis, Md. 21404

DEPRM

People's Counsel

File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 20, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for August 6, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 25, 28, 32, 33, 34, 36, 39, 40, 42, 43 and 44.

For Item 483 (Case No. 81-484-A), the previous minor subdivision comments are applicable.

For Items 35 and 37, revised County Review Group Plans are required.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:8

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

August 19, 1991

887-3353

Mr. & Mrs. Billy R. Horne
9301 Todd Avenue
Ft. Howard, MD 21052

RE: Item No. 33, Case No. 92-25-A
Petitioner: Billy R. Horne, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Horne:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 22th day of July, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Billy R. Horne, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 16, 1991
Zoning Administration and Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Walker Property, Item No. 505
Parsons Property, Item No. 9
Donovan Property, Item No. 10
Wolf Property, Item No. 17
Pearson Property, Item No. 19
Scifler Property, Item No. 22
Felts Property, Item No. 24
Melchor Property, Item No. 25
Faulkner Property, Item No. 27
McJilton Property, Item No. 32
Horne Property, Item No. 33
Elsnic Property, Item No. 38
Mugrage Property, Item No. 39
Copeland Property, Item No. 42
Eckert Property, Item No. 44
Hartel Property, Item No. 50
Gimbel/Gaffney Property, Item No. 51

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

NUMEROUS.ITM/ZAC1

Rec'd 8/21/91

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

AUGUST 6, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: BILLY R. HORNE

Location: #9301 TODD AVENUE

Item No.: *33 Zoning Agenda: AUGUST 6, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Joseph Kelly* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

Rec'd 8/7/91

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Lawrence E. Schmidt DATE: September 5, 1991
Zoning Commissioner

FROM: J. James Dieter, Director

SUBJECT: Petition for Zoning Variance - Item 33
Horne Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 9301 Todd Avenue. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. and Mrs. William Horne

APPLICANT PROPOSAL

The applicant is proposing to build an open wooden deck. The applicant has requested a variance from section 1802.3.C.1 and 301.1 of the Baltimore County Zoning Regulations to permit "a side street setback for an open projection of 13 feet in lieu of the permitted 18.75 feet."

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.D>

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: September 11, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 6, 1991

This office has no comments for item numbers 25, 28, 32, 33, 34, 35, 39, 40, 42, 43 and 44.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

August 1, 1991

887-3353

Billy and Thelma Horne
9301 Todd Avenue
Ft. Howard, Maryland 21052

COPY

Re: CASE NUMBER: 92-25-A
LOCATION: 9301 Todd Avenue
9301 Todd Avenue

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

1) Your property will be posted on or before August 11, 1991. The closing date is August 26, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioners. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioners), the property will be posted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

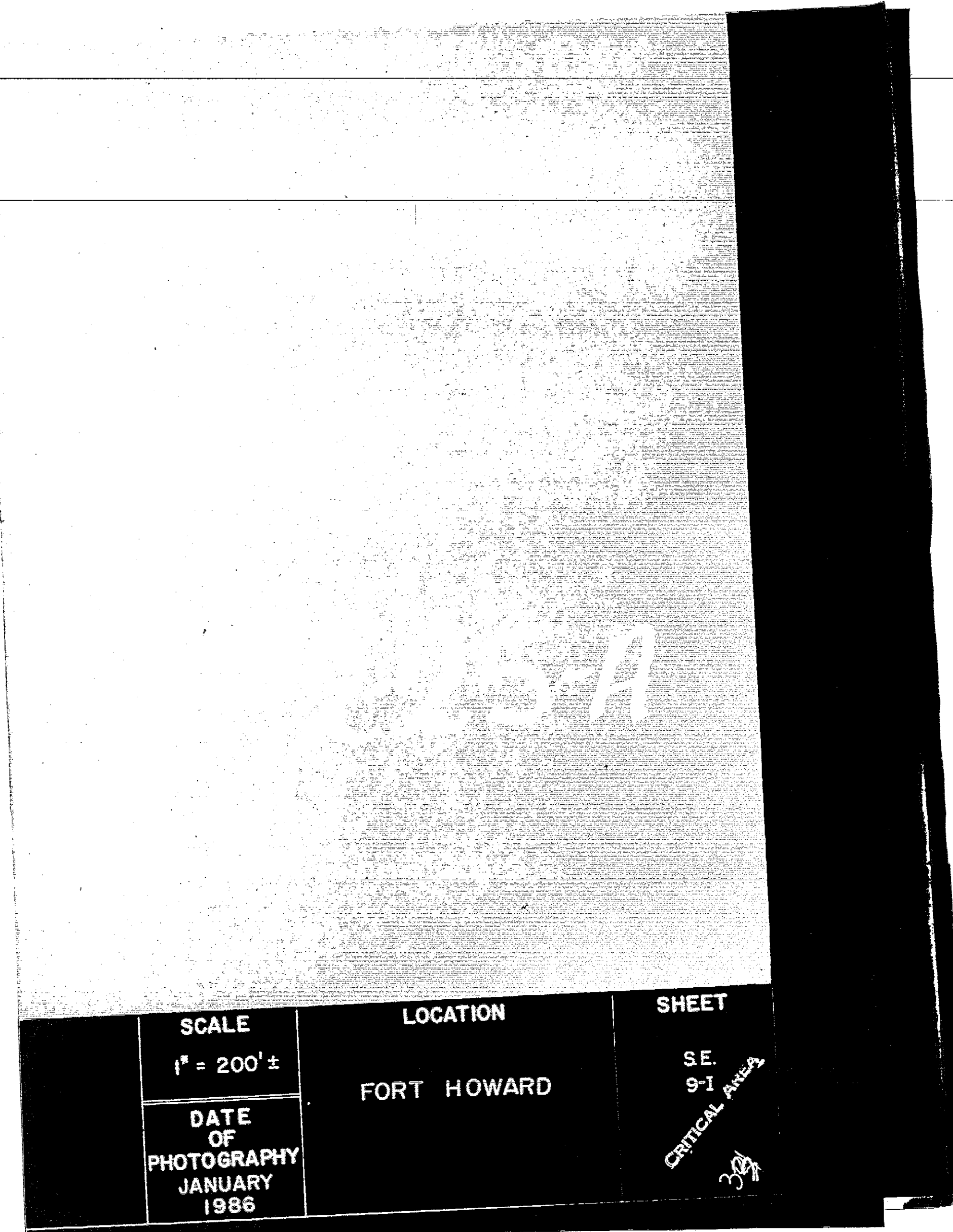
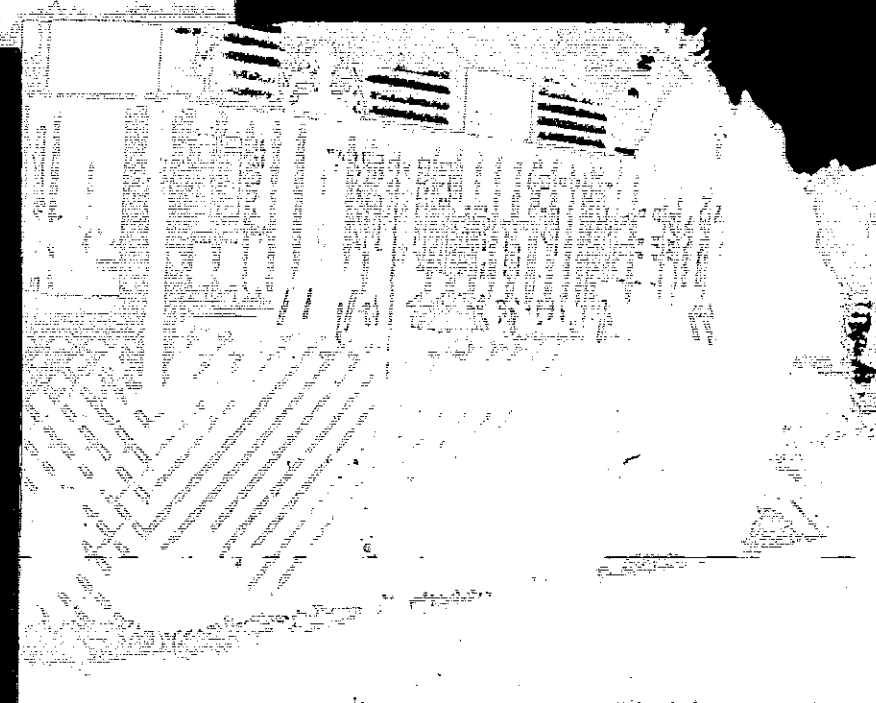
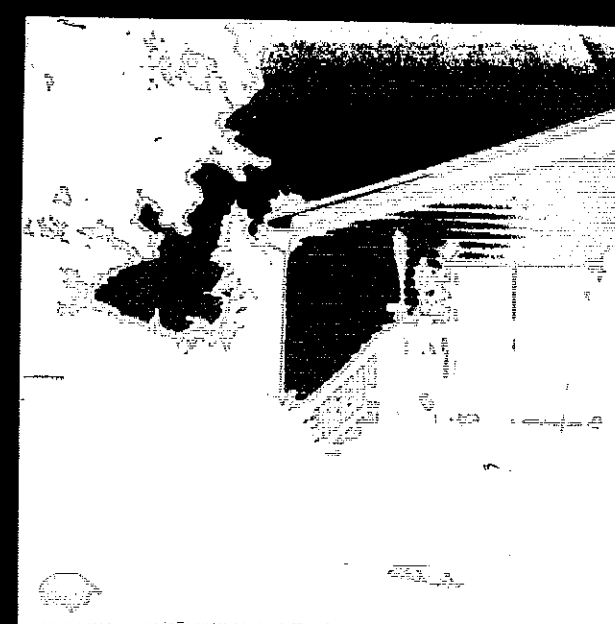
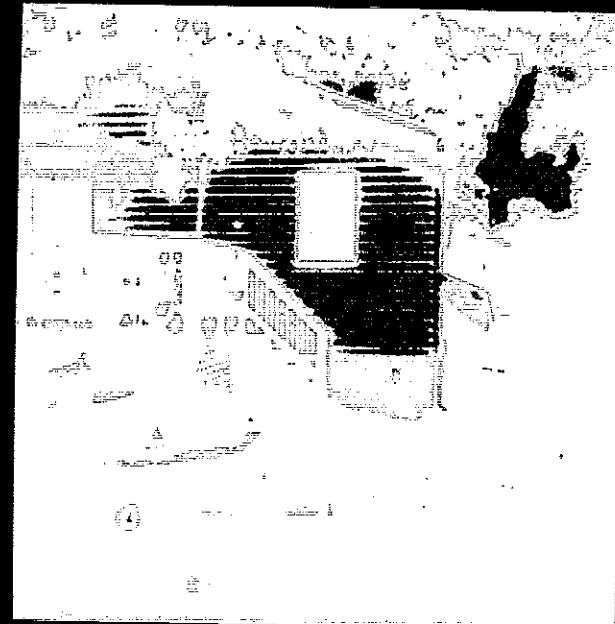
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. S. Stephens
(301) 887-3391

CASE NUMBER 92-25-A
PETITIONER'S EXHIBIT # 2



SCALE
1" = 200' ±

LOCATION
FORT HOWARD

SHEET
SE
9-1

DATE
OF
PHOTOGRAPHY
JANUARY
1986

CRITICAL AREA
309

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10th Date of Posting 7/14/91
Posted for Variance
Petitioner Billy R. Horne et al
Location of property 9301 Todd Ave
Location of Sign 9301 Todd Ave, near E. Ft. Howard, ex
Remarks Property of Horne
Posted by W. Stephens Date of return 7/16/91
Number of Signs 1

IN RE: PETITION FOR
ZONING VARIANCE
NWC Lamborne Road and
Fairmount Avenue
"Gables at Hampton"
9th Election District
4th Councilmanic District
Hampton Apartments Joint
Venture, Petitioner
* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE #92-95-A
*
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a zoning variance from Section 201.3C1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a building 40 feet or more in height to be located within 25 feet of the property line other than a street line in lieu of the required 30 feet.

The Petitioner/property owner, Hampton Apartments Joint Venture, by Mark D. Dopkin, Esquire, appeared. Also appearing on behalf of the Petitioner was John Dorment, a principal of the Petitioner and George E. Gavrelis of Daft McCune Walker, Inc., an expert Land Planner. There were no Protestants.

Testimony indicated that the subject property consisting of approximately 3.43 acres and bounded on three sides by Dunvale Road, Yorkward Road and Lamborne Road. 3.194 acres are zoned R.A.E. 2 and .236 acres (at the rear of the property) are zoned BR-CSA.

Mr. Dorment testified that the property is improved with several three-story apartment buildings built in the early 1950s and containing 60 apartment units. He noted that these buildings, along with the buildings which existed on two adjoining parcels and known as Hampton Apartments, were built by his father. The Petitioner acquired all three parcels in 1986. Mr. Dorment further testified that the current R.A.E. 2 zoning was granted as part

- 1 -

of the 1988 zoning process. In connection with that zoning, the Petitioner entered into an agreement with neighboring community associations whereby the parcel to the north of the subject parcel (across Dunvale Road) was donated to a non-profit corporation for the purpose of rehabilitating some of the existing apartment buildings and building additional units for housing for the elderly. This construction is now well under way. The Petitioner also agreed to make a cash contribution of \$1,000,000 to help underwrite the costs of the elderly housing project.

The plat entitled "Plan and Plat to Accompany Zoning Petition Gables at Hampton" was then entered as Petitioner's Exhibit 1. Mr. Dorment testified that the Plan showed a proposed four-story condominium project with two levels of underground parking. The project would include 256 units, a pool and clubhouse as well as approximately 12,000 square feet of office and retail space to be used primarily for on-site services. Mr. Dorment further testified that he had met with representatives of all of the neighborhood associations to review the proposed development and that all were satisfied with the design. He also indicated that the Planning Department was very supportive.

Testimony presented by Mr. Gavrelis indicated that the building as designed conformed with the B.C.Z.R. requirement that windows be set back 25 feet from the property line. However, Section 201.3C1 requires a 30-foot setback where the building is 40 feet or more in height. Mr. Gavrelis noted that the building was originally designed with the window setback of 25 feet in mind and that the applicability of the section at issue was not discovered until after the design was completed. He further testified that the property adjoining the west side of the property was zoned BR-CSA and was being used

- 2 -

for automobile sales and repair. He further noted that the adjoining property was several feet above the grade of the subject property and that a portion of it had a large concrete retaining wall facing this property. He indicated that, in his opinion, strict compliance with the requirements of B.C.Z.R. Section 201.3C1 would unnecessarily burden the property owner because the redesign of the building would adversely affect the architectural symmetry of the project and, in addition, would create several other physical situations which would be in violation of other sections of the B.C.Z.R. By way of example, he noted that the project would have difficulty complying with the 75-foot minimum distance between windows facing the interior courts. Mr. Gavrelis further testified that, in his opinion, the building with the requested variance would have no adverse impact on the adjoining parcel. He further indicated that it was his opinion that the building constructed with the variance would be in strict harmony with the spirit and intent of the B.C.Z.R. and would have no adverse impact on public safety and welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McClean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

- 3 -

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing was not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and zoning variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of October, 1991, that the Petition for Zoning Variance from Section 201.3C1 permit a building 40 feet or more in height to be located within 25 feet of the property line other than a street line in lieu of the required 30 feet is hereby GRANTED; subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

- 4 -

2. A final landscape plan for the property must be approved prior to the issuance of a final grading permit.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

cc: Peoples Counsel

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 31, 1991

Mark D. Dopkin, Esquire
20 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
NW/Corner Lamborn Street and Fairmount Avenue
(Gables at Hampton)
9th Election District - 4th Councilmanic District
Hampton Apartments Joint Venture - Petitioner
Case No. 92-95-A

Dear Mr. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjbs

cc: People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 201.3C1 to permit a building 40 feet or more in height to be located within 25 feet of a property line other than a street line in lieu of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Strict compliance with the standard is unnecessarily burdensome.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Mark D. Dopkin

(Type or Print Name)

Signature

20 South Charles Street

Address

Baltimore, MD 21201

City and State

Attorney's Telephone No.: 539-6967

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Hampton Apartments Joint Venture

(Type or Print Name)

Signature

John Dorment, Partner

(Type or Print Name)

Signature

P. O. Box 4308 561-9900

Address Phone No.

Lutherville, MD 21093

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

ORDER RECEIVED FOR FILING

10/31/91

By

ESTIMATED LENGTH OF HEARING - 1/2HR. - 1HR.

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER DATE

REVIEWED BY: DATE

DAFT-MCCUNE-WALKER, INC.
200 East Pennsylvania Avenue Towson, Maryland 21204 301 296 3333 FAX 301 296 4705



Land Planning
Environmental Services
Landscape Architecture
Computer Technology
Engineering
Surveying GIS

Description

to Accompany Zoning Petition

3.430 Acre Parcel of Land

Northwest Corner of Intersection

Formed by Lamborne Road and Yorkward Road

Ninth Election District, Baltimore County, Maryland

Beginning for the same at the end of the two following courses and distances measured from the intersection formed by the centerline of Yorkward Road, 60 feet wide, with the centerline of Lamborne Road, also 60 feet wide, thence in a southwesterly direction for a distance of 30 feet more or less measured along the centerline of Lamborne Road, and thence in a northwesterly direction at right angles to said centerline for 30 feet more or less to the point of beginning, thence leaving said point of beginning and running with and binding on the northernmost right-of-way line of Lamborne Road and referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District (1) South 58 degrees 29 minutes 11 seconds West 521.86 feet, thence leaving said right-of-way line and running in a northwesterly direction the three following courses and distances, viz: (2) North 31 degrees 41 minutes 26 minutes West 195.00 feet, thence (3) South 58 degrees 29 minutes 11 seconds West 20.00 feet, and thence (4) North 31 degrees 41 minutes 26 seconds West 100.52 feet and to intersect with the southernmost right-of-way line of Dunvale Road, thence running with and binding on said right-of-way line the two following courses and

Page 1 of 2

A Team of Land Planning, Environmental & Engineering Professionals Providing Complete Site Services & Development Solutions

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting 1/11/1951

Posted for John J. McLaughlin

Petitioner John J. McLaughlin

Location of property 1111 N. E. 1st St. Baltimore, Md.

Location of Signs 1111 N. E. 1st St. Baltimore, Md.

Remarks _____

Posted by J. J. McLaughlin Date of return 1/11/51
Signature

Number of Signs _____

NOTICE OF HEARING

The Zoning Commission of Baltimore County, Maryland, is holding a public hearing on the proposed Zoning Act and Regulations of Baltimore County, Maryland, at a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 4001 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 92-95-A
390C Landon Street and Fairmount Avenue
"Gables at Harpers"
4th Circuit District
6th Courtroom
Palmerston II
Hempstead Apartments

Hearing Date: Monday, Oct. 25, 1992 at 9:00 a.m.

Variance: To permit a building 40 feet or more in height to be located within 25 ft. of a property line other than a street line in use of the adjacent 50 ft.

Zoning Commission of Baltimore County

TJL:J26 September 28

CERTIFICATE OF PUBLICATION

TOWSON, MD., *10/2*, 19*92*

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of *2* successive weeks, the first publication appearing on *10/2*, 19*92*

s. Zebe Orlan

Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118 Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 92-96-A
MWC Lambton Street and Farmount Avenue
"Gables at Hampton"
8th Election District
8th Councilmanic Precinct(s)
Hampton Apartments
Joint Meeting
Hearing Date: Monday,
Oct. 21, 1991 at 7:00 a.m.

Variances: to permit a building 40 feet or more in height to be located within 25 ft. of a property line other than a street line in lieu of the required 30 ft.

Zoning Commissioner of Baltimore County
TT 49/298 September 26,

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept 26, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of one successive weeks, the first publication appearing on Sept 24, 1991.

THE JEFFERSONIAN,

S. Zate Orlan
Publisher

Baltimore County
Zoning Commission
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150

Number

6-21-91

RECEIVED

TOWSON POWERING CLUB

QTY

PRICE

2000 SHEDS MAINTAINED TOTAL

QTY

\$175.00

GRAND TOTAL 2000 SHEDS MAINTAINED TOTAL


TOTAL

\$175.00

Please Make Checks Payable To: Baltimore County \$175.00

SA 009157A-00B-25-91

Cashier Validation

 **Baltimore County
Zoning Commissioner**
County Office Building
111 West Hampden Avenue
Towson, Maryland 21204

92-95

receipt

Date _____

Account: R 001-6150
Number _____

Cashier Validation _____

Please Mark This Receipt As Paid

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

888 3355

DATE: 11/1/91

Hampton Apartments Joint Venture
P. J. Box 4308
Lutherville, Maryland 21093

RE:
Case Number: 92-95-A
94C Landon Street and Fairmount Avenue
"Sabels at Hampton"
9th Election District - 4th Councilmanic
Petitioner(s): Hampton Apartments Joint Venture
HEARING: MONDAY, OCTOBER 21, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 1,000.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Lawrence E. Schmidt
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Mark D. Dopkin, Esq.

RECEIVED
OCT 15 1991
ZONING OFFICE

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

SEP 13 1991

887 5555

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:


Case Number: 92-95-A
MAC Landon Street and Fairmount Avenue
"Sublots at Hampton"
9th Election District - 4th Councilmanic
Petitioner(s): Hampton Apartments Joint Venture
HEARING: MONDAY, OCTOBER 21, 1991 at 9:00 a.m.

Variance to permit a building 40 feet or more in height to be located within 25 ft. of a property line other than a street line in lieu of the required 30 ft.

J. Robert Haiese
Zoning Commissioner of
Baltimore County

cc: Hampton Apartments Joint Venture
Mark D. Dopkin, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

NR# 4454

October 7, 1991

Mark D. Dopkin, Esquire
20 South Charles Street
Baltimore, MD 21201

RE: Item No. 92, Case No. 92-95-A
Petitioner: Hampton Apartments Joint
Venture, et ux
Petition for Variance

Dear Mr. Dopkin:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

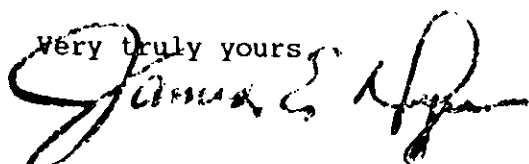
The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: October 7, 1991
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. John Dorment
Hampton Apartments Joint Venture
P.O. Box 4308
Lutherville, MD 21093

Your petition has been received and accepted for filing this
21st day of August, 1991.

Carl Jablon
ARNOLD JABLON
DIRECTOR

Received By:
James E. Long
Chairman,
Zoning Plans Advisory Committee

Petitioner: Hampton Apartments Joint Venture, et ux
Petitioner's Attorney: Mark D. Dopkin

BALTIMORE COUNTY, MARYLAND
INTEROFFICE MEMORANDUM

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Hamptons Apartments, Item No. 92
DATE: September 27, 1991

In reference to the petitioner's request, staff has attached
the office of Planning and Zoning's CRG comments regarding this
project. Please note that item #2 has already been addressed
by the applicant.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL:rdn
ITEM92/TXTROZ

Gables at Hampton CRG
10:00 A.M.

The Office of Planning and Zoning has reviewed the revised subject
plan dated June 7, 1991 and submits the following additional
highlighted comments to be addressed prior to final Planning approval:

1. Please correct the Current Planning CRG number IX-521. (This office had
previously provided an incorrect file number)
2. To gain a better understanding of the proposed development, building
elevation drawings must be included on the revised plan and include the
following information: building height and materials window-wall
relationships, roof treatment and general architectural style.
*The building elevation drawings have been reviewed and are generally
acceptable for CRG purposes. Though schematic in nature, these
drawings are to be included as part of the approved CRG plan.*
3. This site is located within the Hampton elementary school
district where enrollment exceeds capacity by 204 or more as
designated on the Interim Control Map (ICM) adopted by the County
Council. The ICM is reviewed annually and updated each October 1 or
after redistricting and actual enrollments are finalized. Application
for development in areas limited by overcapacity of an elementary
school district shall be processed by the County and placed on an
approved waiting list in the order that they make application for
approval of record plat. Processing of this development shall occur
up to but not including the point of signature of the grading permit,
building permit, public works agreement and record plat.
*- it cannot be
approved until
this is resolved*
4. The preliminary landscape plan has been reviewed and is generally
acceptable for CRG purposes; however, be advised that all proposed
major deciduous trees within the town center shall have a minimum size
of 3 - 3 1/2 inch caliper.

A landscape plan shall be prepared for all developments in accordance
with the CRG Plan and the current Landscape Manual adopted by the
Baltimore County Council on October 1, 1990 (C.C. Resolution No.
36-90). A final landscape plan must be reviewed and approved by the
Office of Planning and Zoning prior to the issuance of grading or
building permits.

FM:cab

A:CRG59.TXT

SEPTEMBER 16, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: HAMPTON APARTMENTS JOINT VENTURE
Location: NWC LAMBON STREET AND FAIRMOUNT AVENUE
Item No.: 92 Zoning Agenda: SEPTEMBER 2, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site
shall comply with all applicable requirements of the National Fire
Protection Association Standard No. 101 "Life Safety Code", 1988
edition prior to occupancy.

REVIEWER: *Jeffrey Long* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JF/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: September 24, 1991
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for September 3, 1991

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 95, 96, 94, 92, 85, 88, 89, 90, 93, 94, 96, 97, 98,
and 99.

For Item 84, see the County Review Group comments for
the St. Lukes Apartment site.

For Item 91, the previous County Review Group and
Public Works Agreement comments remain in effect.

For Item 92, the previous County Review Group comments
remain in effect.

For Item 95, see the County Review Group comments for
this site.

For Item 101, comments are reserved for this site until
the County Review Group meeting.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:c

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE
October 7, 1991

RECEIVED
OCT 10 1991
ZONING OFFICE

TO: ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,
DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 92
PROPERTY OWNER: Hampton Apartments Joint Venture
LOCATION: NWC Lambon Street & Fairmount Ave.
ELECTION DISTRICT: 9th
COUNCILMANIC DISTRICT: 4th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE
FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF
MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE
HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE
SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT
BALTIMORE COUNTY BUILDING CODE.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN.
SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE
REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING
USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND
ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE
TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0
COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE,
TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A
FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE
SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY
COUNCIL BILL #192-90 EFFECTIVE 1/13/91

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: October 8, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahae J. Famill
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: September 3, 1991

ITEM NUMBER: 92

Please see the C.R.G. comments for this site.

Rahae J. Famill
Rahae J. Famill
Traffic Engineer II

RJE/lvd

TRANSMITTAL

DAFT-MCUNE-WALKER, INC.
Land Planning Consultants
Landscape Architects
Engineers & Surveyors

200 East Pennsylvania Avenue
Towson, Maryland 21204
Telephone (301) 296-3333

To: Office of Zoning Administration Date: 8/24/91
& Development Management Job no.: 89117A

Attention: *Gables at Hampton*
Reference: *Gables at Hampton*

Gentlemen:
We are sending you ☐ attached ☐ under separate cover: ☒ via *Carry*
☐ Shop drawings ☐ Samples ☐ Plans
☐ Specifications ☐ Returned for corrections ☐ Return ☐ corrected prints

Copies	Date	Number	Description
12			Plans & Plat to Accompany Petition
3	8/24/91		Boundary Descriptions
1	8/24/91		\$175.00 Filing Fee
3			Portions of 200 Scale Zoning Map

These are transmitted as checked below:
☐ For approval ☐ Approved as submitted ☐ Resubmit ☐ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit ☐ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return ☐ corrected prints
☐ For review and comment ☒ Processing

Remarks

cc: John Dorment, Mark Dopkin
Signed: *Gary E. Cornealis*

PETITIONER(S) SIGN-IN SHEET

NAME _____

ADDRESS

205. Charles St. 21201

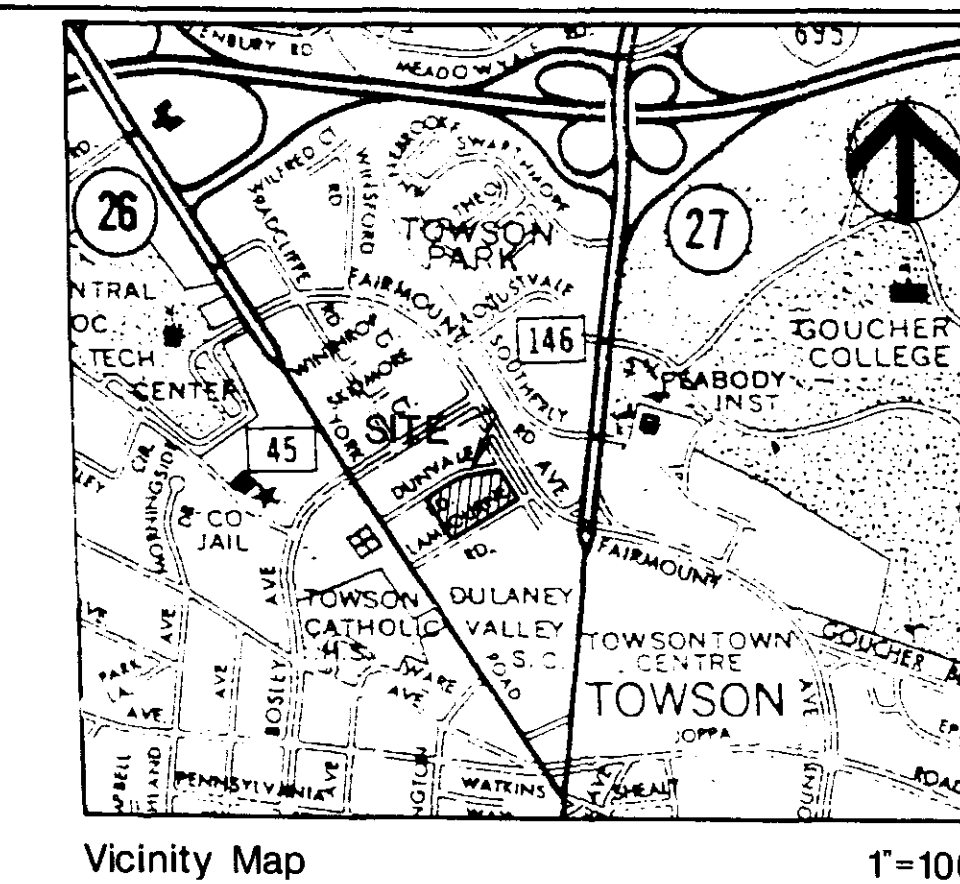
113 Old Padonia Rd.

200 E. Pennsylvania Ave 2, 204

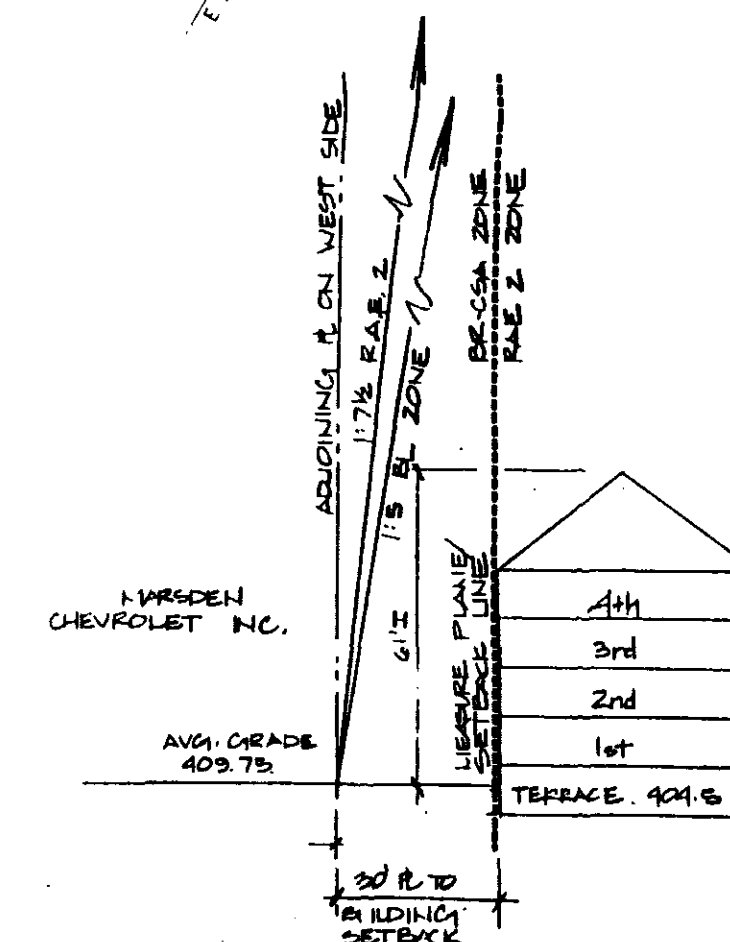
92-95-A

PORTIONS OF BALTIMORE COUNTY
ZONING MAPS NE-10A AND NE-11A

92-95-A



- Legend:**
- EXISTING CONTIGUOUS
 - PROPOSED CONTIGUOUS
 - EXISTING UTILITY
 - PROPOSED UTILITY
 - STEEP SLOPES > 25%
 - SOILS LINE
 - ZONE BOUNDARY LINE
 - ADJACENT OPEN SPACE
 - RED RED PLANTING
 - PROPOSED SITE LIGHTING



Planning # IX-571 CRG Public Services # 91097

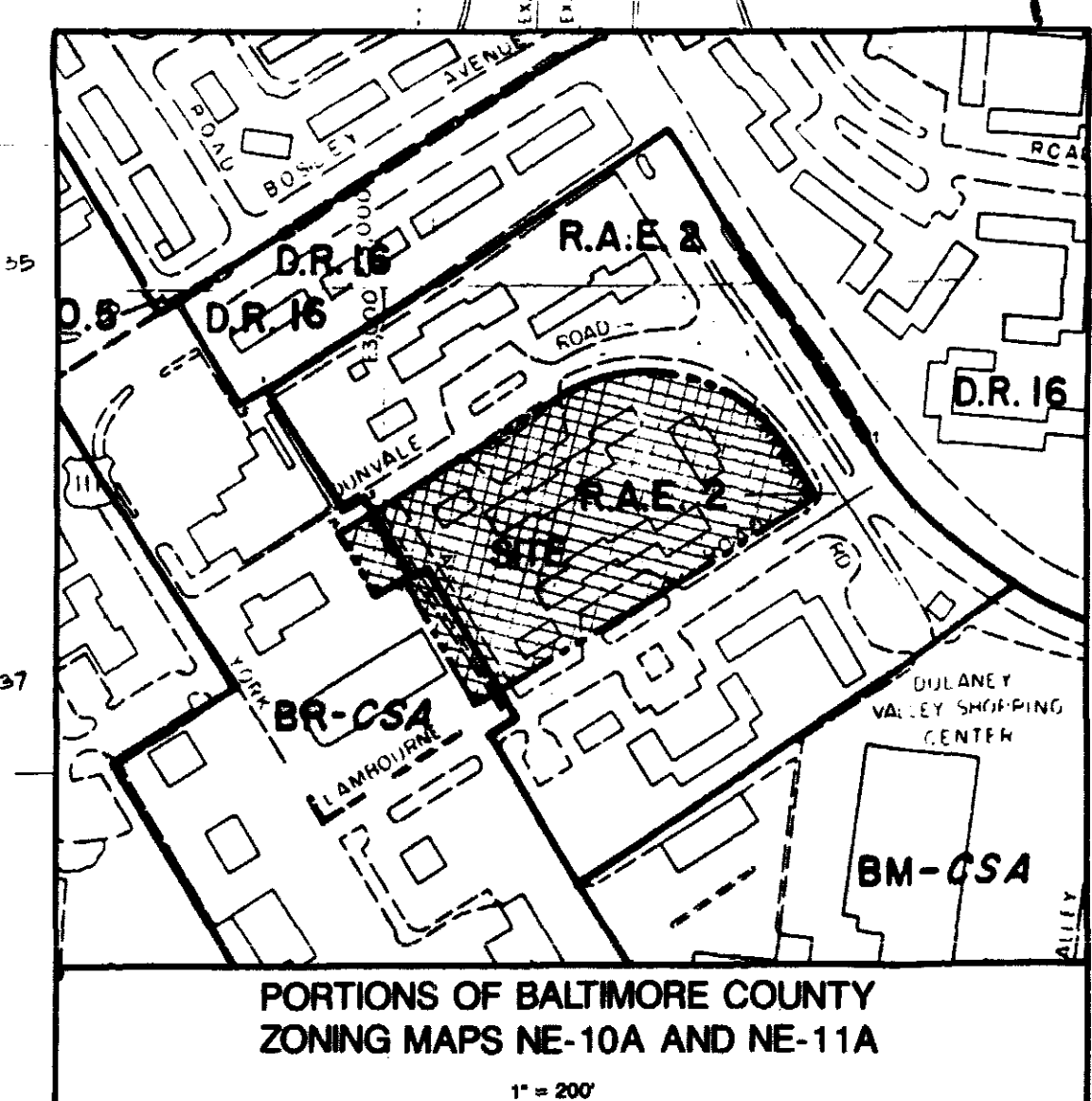
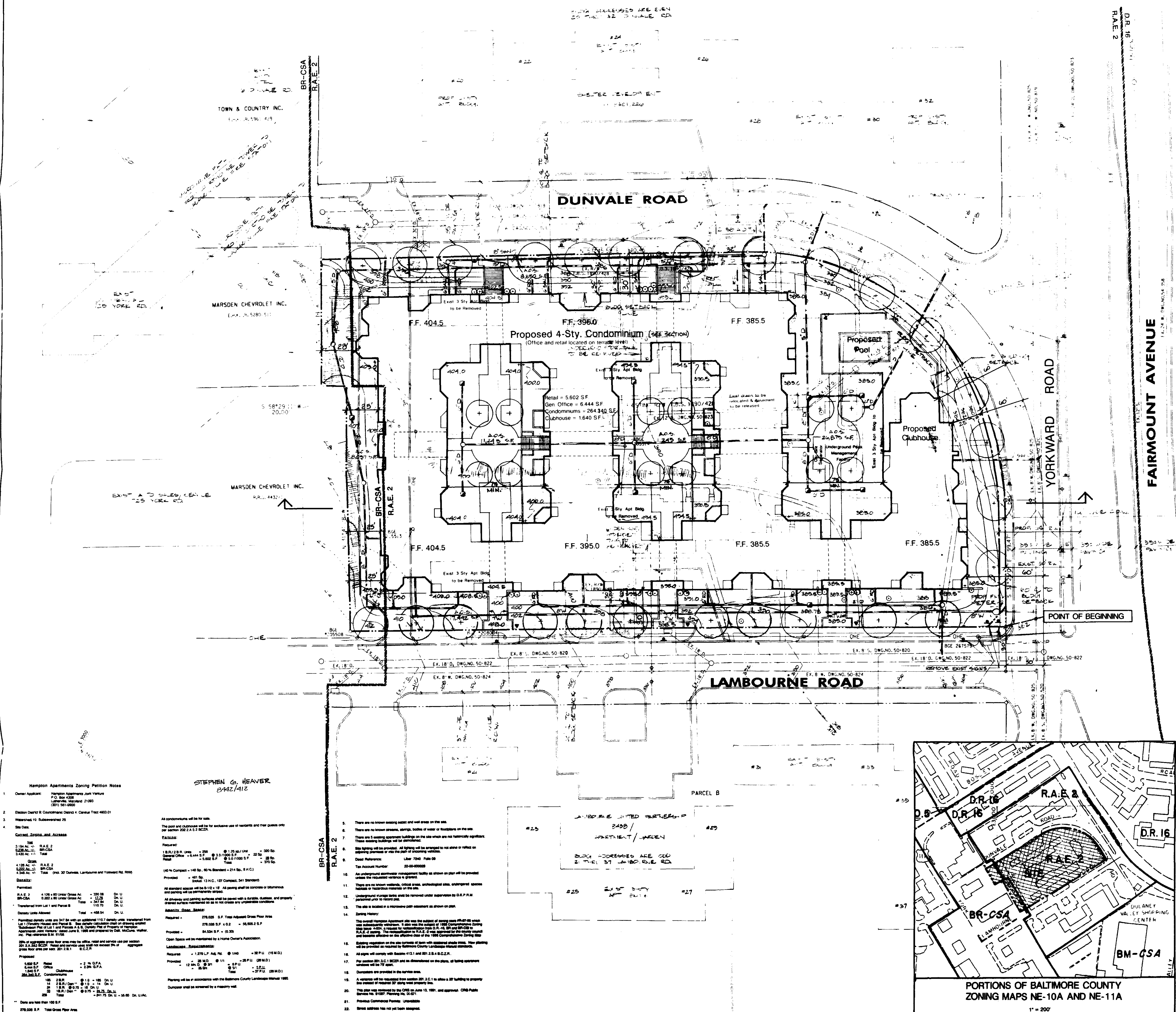
DAFT MCCUNE WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS, SURVEYORS
200 EAST PENNSYLVANIA AVENUE
TOWSON, MD 21204
TELEPHONE: 301-296-3333

Plan and Plat to Accompany
Zoning Petition
Gables at Hampton
92-95-A
Part of Plat S.M. 61/ 58

SCALE: 1" = 30'

JOB ORDER NO. 89117 A
ISSUE DATE AUG. 21, 1991

SHEET 1 OF 1



Hampton Apartments Zoning Petition Notes

Owner Applicant: Hampton Apartments Joint Venture
Site Plan: 1/2" = 1" = 100' (1/4" = 1" = 100')
Current, Zoning, and Address: 92-95-A
1. 1/2" = 1" = 100' (1/4" = 1" = 100')
2. 1/2" = 1" = 100' (1/4" = 1" = 100')
3. 1/2" = 1" = 100' (1/4" = 1" = 100')
4. 1/2" = 1" = 100' (1/4" = 1" = 100')

Stephen G. Weaver
0442/112

As shown on the site plan, the proposed building is located on the site of the former Hampton Apartments. The site is bounded by Dunvale Road to the north, Lambourne Road to the south, Yorkward Road to the east, and Fairmount Avenue to the west. The proposed building is a four-story structure with a total area of 100,000 square feet. The building will include 100 residential units, a clubhouse, a pool, and parking for 100 vehicles. The site plan shows the building footprint, parking areas, landscaping, and surrounding streets. The plan includes various annotations for setbacks, easements, and property lines. A 'POINT OF BEGINNING' is marked on Lambourne Road. The plan also shows existing structures like the Marsden Chevrolet Inc. building and the proposed clubhouse and pool.

PROPOSED 4-Story Condominium (see Section)
(Office and retail located on terrace level)
Retail = 5,602 SF
Gen. Office = 6,444 SF
Condominiums = 264,340 SF
Clubhouse = 1,640 SF

PROPOSED POOL

PROPOSED CLUBHOUSE

PROPOSED UNDERGROUND PARKING

PROPOSED STAIRS

PROPOSED ELEVATORS

PROPOSED SIGNAGE

PROPOSED LANDSCAPING

PROPOSED UTILITY

PROPOSED SOILS

PROPOSED ZONE BOUNDARY

PROPOSED ADJACENT OPEN SPACE

PROPOSED RED RED PLANTING

PROPOSED SITE LIGHTING

PROPOSED STAIRS

PROPOSED ELEVATORS

PROPOSED SIGNAGE

PROPOSED LANDSCAPING

PROPOSED UTILITY

PROPOSED SOILS

PROPOSED ZONE BOUNDARY

PROPOSED ADJACENT OPEN SPACE

PROPOSED RED RED PLANTING

PROPOSED SITE LIGHTING

EXHIBIT A

PRINTED
AUG 21 1991